

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

KEITH L. DROLLINGER,

Plaintiff,

v.

SUSAN R. GERBER, HARDY MYERS,  
and JOHN KROGER,

Defendants.

No. 09-CV-134-AC

ORDER

Keith L. Drollinger, Pro se  
5496710 Snake River Correctional Institution  
777 Stanton Boulevard  
Ontario, OR 97914

Pro se Plaintiff

Michael R Washington  
OREGON DEPARTMENT OF JUSTICE  
Trial Division  
1162 Court Street NE  
Salem, OR 97301

Attorney for Defendants

///

HERNANDEZ, District Judge:

Magistrate Judge John V. Acosta issued a Findings and Recommendation (doc. #78) on November 12, 2011, in which he recommends that I grant the motion for summary judgment (doc. #47) filed by defendants.

Plaintiff Keith L. Drollinger (“Plaintiff”) timely filed objections to the Magistrate Judge’s Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge’s Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge’s report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna–Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff’s objections and conclude that the objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge’s Findings and Recommendation.

### CONCLUSION

The Court ADOPTS Magistrate Judge Acosta’s Findings and Recommendation (doc. #78). Defendants’ motion for summary judgment (doc. #47) is therefore granted.

IT IS SO ORDERED.

DATED this 6<sup>th</sup> day of February, 2012.

/s/ Marco A. Hernandez  
Marco A. Hernandez  
United States District Judge